AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Northern District of New York

U.S. DISTRICT COURT - N.D. OF N.Y.
FILED
MAY 11 2017
AT ___ O'CLOCK
Lawrence K. Baerman, Clerk - Albany

UNITED STATES OF AMERICA
v.

DARREN CHARLES ROBINSON,

Defendant.

Case No. 17-MJ-216 (CFH)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On the dates of May 10-11, 2017 in the counties of Schenectady and Ulster in the Northern District of New York, the defendant violated:

Code Section	*Offense Description*
Title 21, United States Code, Sections 841(a)(1), (b)(1)(C)	Possession with intent to distribute controlled substances (cocaine, crack cocaine, and heroin)

This criminal complaint is based on these facts:
Please see attached affidavit.

☒ Continued on the attached sheet.

Complainant's signature

FBI Special Agent Matthew G. Fontaine

Printed name and title

Sworn to before me and signed in my presence.

Date: May 11, 2017

Judge's signature

City and State: Albany, NY

Hon. Christian F. Hummel, U.S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

AFFIDAVIT IN SUPPORT OF A COMPLAINT

Special Agent **MATTHEW G. FONTAINE**, of the Federal Bureau of Investigation (FBI), being duly sworn, deposes and states:

1. I make this affidavit in support of a criminal complaint charging DARREN CHARLES ROBINSON ("Robinson") with a violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C), for possessing with intent to distribute controlled substances (cocaine, crack cocaine and heroin).

2. I have been a Special Agent of the Federal Bureau of Investigation (FBI) since April 2009. From June 2015 to December 2016, I served as a Supervisory Special Agent at FBI Headquarters in Washington, D.C. Prior to employment with the FBI, I was employed as an Assistant District Attorney for the Berkshire County District Attorney in Pittsfield, Massachusetts, from August 2005 to April 2009. I have been a member of the Massachusetts Bar since November 2005.

3. During my employment with the FBI, I have been trained in various aspects of law enforcement, including criminal and national security investigations. I have participated in the investigation and arrest of individuals for violations of Title 18 and Title 21 of the United States Code. I have taken a leadership role in successful investigations leading to the conviction of numerous individuals for violations of Title 18 and Title 21 of the United States Code. I have conducted many hours of physical surveillance of subjects engaged in the distribution and sale of controlled substances. I have conducted searches for and seized controlled substances, proceeds of drug distribution and drug paraphernalia. As a result of this experience, I am familiar with the language, conduct, and customs of people engaged in conspiracies to violate the controlled

substance laws of the United States.

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and task force officers. The information contained in this affidavit is not an exhaustive account of everything I know about this case. Rather, it contains only the facts that I believe are necessary to establish probable cause in support of a criminal complaint.

Basis for a Finding of Probable Cause

5. On May 10, 2017, New York State Police stopped Robinson's vehicle in Ulster County, as it was traveling south on the New York State Thruway, for the purpose of executing a federal search warrant on the vehicle. Robinson was driving and alone in the vehicle at the time of the stop.

6. Hidden under the hood of Robinson's vehicle, New York State Police found a bag containing a white substance that had the appearance of cocaine, and which field-tested positive for cocaine. The suspected cocaine weighed about 80 grams, which, based on my training and experience, I know to be an amount of cocaine that is inconsistent with personal use and consistent with drug dealing. The cocaine was also found with a digital scale, which, based on my training and experience, I know to be used by drug dealers to weigh drugs for distribution.

7. On May 11, 2017, a search warrant was executed at 830 Hampton Avenue, Schenectady, New York, a residence frequently used and visited by Robinson. During the search, investigators found approximately 300 grams of suspected cocaine, approximately 75 grams of suspected heroin and approximately 25 grams of suspected crack cocaine – all quantities that are consistent with drug dealing. The substances field-tested positive for the presence of cocaine, heroin and crack cocaine, respectively. During the search, various Pyrex

and glass mixing cups, 4 scales, and cutting agents were found; which, based upon my training and experience, I know are used to process and prepare drugs for redistribution.

8. On August 27, 2013, Robinson was convicted in Albany County Court of Criminal Possession of a Narcotic Drug-Fourth Degree, a felony, and was sentenced to five years of probation. On January 18, 2000, Robinson was convicted in Bronx County Court of Criminal Sale of a Controlled Substance-Fifth Degree, a felony, and was sentenced to 30 months to 5 years in prison. On May 6, 1998, Robinson was convicted of Criminal Sale of a Controlled Substance-Third Degree: Narcotic Drug, a felony, in Bronx County Court, and was sentenced to one to three years in prison.

Conclusion

9. I respectfully submit that this affidavit establishes probable cause for a criminal complaint charging DARREN CHARLES ROBINSON with a violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C), for possessing with intent to distribute controlled substances (cocaine, crack cocaine, and heroin).

Matthew G. Fontaine
Special Agent
Federal Bureau of Investigation

Sworn to before me this
11th day of May, 2017

Hon. Christian F. Hummel
United States Magistrate Judge